

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

<b>UNITED STATES OF AMERICA,</b>	)	
	)	
<b>Plaintiff,</b>	)	<b>8:16CR176</b>
	)	
<b>vs.</b>	)	
	)	
<b>SILAS L. KITTO,</b>	)	<b>ORDER</b>
	)	
<b>Defendant..</b>	)	

This matter is before the court on defendant's Unopposed Motion to Continue Trial [44]. Counsel is seeking additional time to prepare the defense in this case. Defendant has complied with NECrimR 12.1(a). For good cause shown,

**IT IS ORDERED** that the Motion to Continue Trial [44] is granted as follows:

1. The jury trial now set for January 24, 2017 is continued to **April 4, 2017**.
2. The defendant has filed the affidavit required by paragraph 9 of the progression order and NE.CrimR 12.1(a) .
3. In accordance with 18 U.S.C. § 3161(h)(7)(A), the court finds that the ends of justice will be served by granting this continuance and outweigh the interests of the public and the defendant in a speedy trial. Any additional time arising as a result of the granting of this motion, that is, the time between **today's date and April 4, 2017**, shall be deemed excludable time in any computation of time under the requirement of the Speedy Trial Act. Failure to grant a continuance would deny counsel the reasonable time necessary for effective preparation, taking into account the exercise of due diligence. 18 U.S.C. § 3161(h)(7)(A) & (B)(iv).

**DATED January 31, 2017.**

**BY THE COURT:**

**s/ F.A. Gossett  
United States Magistrate Judge**